

REMARKS

Reconsideration and withdrawal of all grounds of rejection contained in the Office Action are respectfully requested in light of the amendments and following remarks. The claims have been amended to overcome the objections in the Office Action and to place them in better form. New claims 17 and 18 have been added, no new matter has been added. Support for new claim 18 can be found at least in the specification on page 5, lines 1-15. Claims 1-18 are pending herein.

The disclosure was objected to for informalities. Applicants gratefully acknowledge the Office Action's suggestion to add section headings to the specification (under 37 CFR 1.77(b)), however respectfully decline to add the headings as they are not required in accordance with MPEP §608.01(a).

Such section headings are not statutorily required for filing a non-provisional patent application under 35 USC 111(a), but per 37 CFR 1.51(d) are only guidelines that are suggested for applicant's use. They are not mandatory, and in fact when Rule 77 was amended in 1996 (61 FR 42790, Aug. 19, 1996), Bruce A. Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, stated in the Official Gazette:

"Section 1.77 is permissive rather than mandatory. ... 1.77 merely expresses the Office's preference for the arrangement of the application elements. The Office may advise an applicant that the application does not comply with the format set forth in 1.77, and suggest this format for the applicant's consideration; however, the Office will not require any application to comply with the format set forth in 1.77."

Miscellaneous Changes in Patent Practice, Response to comments 17 and 18 (Official Gazette, August 13, 1996) [Docket No: 950620162-6014-02] RIN 0651-AA75. A later amendment to 37 CFR 1.77 (65 FR 54628). <http://www.uspto.gov/web/offices/com/sol/notices/patbusgoals.pdf> does not change this.

Claims 1-14 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Okanous et al. (U.S. Patent No. 5,862,345).

Applicants respectfully submit that the claims are patentable for at least the following reasons.

Amended base claim 1 recites (*inter alia*): assigning the each secondary stations to at least one of a plurality of categories, wherein each station in a category has at least one common characteristic... Base claims 8, and 15-16 recite similar limitations.

Applicants respectfully submit that Okanous, does not disclose, suggest, or provide a method or system that assigns each secondary station to at least one of a plurality of categories, wherein each station in a category has at least one common characteristic...

The Office Action indicates that these limitations are shown in Okanous in the abstract, and col. 2, lines 5-63. Applicants respectfully disagree.

In these sections, Okanous provides that each mobile host in a computer network is assigned two identifiers, e.g. a logical identifier that is subnetwork-independent and a location identifier that subnetwork-dependent, see col. 2, lines 5-63. The second location identifier is used to enable communication with fixed hosts in any subnetwork regardless of the presents of an agent facility in the subnetwork.

Thus, Okanous does not group the secondary stations to at least one of a plurality of categories, wherein each station in a category has at least one common characteristic.... Okanous only teaches the use of two identifiers.

Accordingly, it is respectfully submitted that at least for the reasons indicated above, instant base claims 1, 8 and 15-16 are patentable. With regard to the rejection under 35 U.S.C. §102(b), the Court of Appeals for Federal Circuit has held that:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

In the present application, it is respectfully submitted that Okanous, alone or in combination with Rotzoll, fails to disclose each and every element as set forth in base claims 1, 8 and 15-16.

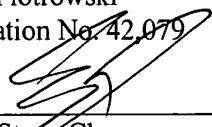
Amendment
Serial No. 09/944,304

Docket No. GB000123

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Daniel Piotrowski
Registration No. 42,079

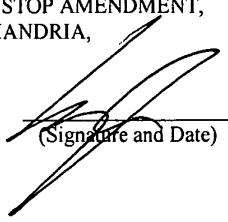
Date: September 2, 2004
By: 
Steve Cha
Attorney for Applicant
Registration No. 44,069

Mail all correspondence to:
Daniel Piotrowski, Registration No. 42,079
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9624
Fax: (914) 332-0615

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA. 22313 on September 2, 2004.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)